

UNITED STATES DISTRICT COURT

for the
Eastern District of Virginia

In the Matter of the Search of
*(Briefly describe the property to be searched
 or identify the person by name and address)*

Case No. 1:18-SW-710

2 UNITED STATES POSTAL SERVICE
 PARCEL PACKAGES;
 SEE ATTACHMENT A FOR TRACKING NUMBERS

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property *(identify the person or describe the property to be searched and give its location)*:

See Attachment A (Description of Parcels to be Searched)

located in the Eastern District of Virginia, there is now concealed *(identify the person or describe the property to be seized)*:

See Attachment B (Description of Parcels to be Seized).

The basis for the search under Fed. R. Crim. P. 41(c) is *(check one or more)*:

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
 21 U.S.C. § 843(b)
 21 U.S.C. § 841(a)(1)

Offense Description
 Use of a Communication Facility to Transport Controlled Substances; and
 Possession with Intent to Distribute a Controlled Substance

The application is based on these facts:
 See attached affidavit.

- ☐ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

AUSA Dennis Fitzpatrick/Daniel Swanwick

Applicant's signature

Henry J. Struse, US Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.

Date: 27 Nov 18City and state: Alexandria, Virginia

/s/

Ivan D. Davis

United States Magistrate Judge

ATTACHMENT A**DESCRIPTION OF PARCELS TO BE SEARCHED**

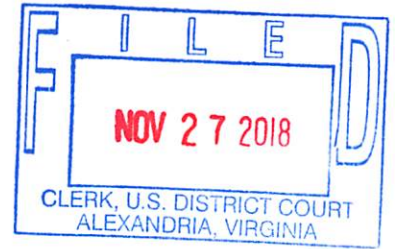
<i>Subject Parcel</i>	<i>Express (E), Priority (P), First Class (F), or Registered (R) Tracking ID Number</i>	<i>From: Name and Address</i>	<i>To: Name and Address</i>
1	(P) 9505513189628320213265	Daniel Sellick 11168-Juniper Dr. Nevada City, 95959	Sam Sobuh 567 Granny Smith Rd. Linden, VA 22642
2	(P) 9370120111403090641396	Hook It Up 3656 Snowy Pines St Las Vegas NV 89147	Alicia Caruso 213 MOSAIC CT STEPHENSON VA 22656-1892

ATTACHMENT B

DESCRIPTION OF ITEMS TO BE SEIZED

1. Narcotics or other controlled substances, as well as contraband related to drug trafficking,
e.g., packaging materials;
2. United States currency or other financial instruments;
3. Customer records;
4. Business ledgers, lists, and notations;
5. Prescription records;
6. Records of a financial nature; and
7. Other evidence of transactions in relation to drug trafficking.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division



IN THE MATTER OF A SEARCH OF)
)
2 UNITED STATES POSTAL SERVICE)
PARCEL PACKAGES;)
SEE ATTACHMENT A FOR TRACKING)
NUMBERS.)
)

Case Number: 1:18-SW-710

**AFFIDAVIT IN SUPPORT OF APPLICATION
FOR A SEARCH WARRANT FOR TWO U.S. MAIL PARCELS**

I. SUBJECT PARCELS

This is an Affidavit submitted in support of an Application for a Search Warrant for two subject U.S. Mail Parcels, hereinafter “the Subject Parcels.” The Subject Parcels are currently located at the Dulles Processing and Distribution Center in Dulles, Virginia. The Dulles Processing and Distribution Center is located within the Eastern District of Virginia. The Subject Parcels are specifically identified as follows:¹

<i>Subject Parcel</i>	<i>Express (E), Priority (P), First Class (F), or Registered (R) Tracking ID Number</i>	<i>From: Name and Address</i>	<i>To: Name and Address</i>
1	(P) 9505513189628320213265	Daniel Sellick 11168 Juniper Dr. Nevada City, 95959	Sam Sobuh 567 Granny Smith Rd. Linden, VA 22642
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¹ For all of the tables in this Affidavit regarding the Subject Parcels, I have listed the sender and recipient information as it appears on the Subject Parcels. In other words, the capitalization, punctuation, and spelling of addresses in the table are the same as that which I observed on the Subject Parcels.

II. AFFIANT

I, Henry J. Struse, being duly sworn, hereby depose and state:

I am a Postal Inspector with the United States Postal Inspection Service (“USPIS”) and have been so employed since August of 2010. Upon entering USPIS, I completed twelve weeks of training in Potomac, Maryland. The training covered various aspects of federal law enforcement including the investigation of narcotics-related offenses. I have received additional training specifically in conducting narcotics investigations and participated in investigations involving possession with intent to distribute and distribution of controlled substances. I have participated in multiple interdictions, controlled deliveries, seizures, and search warrants, which have resulted in criminal arrests and prosecutions.

The facts and information contained in this affidavit are based on my personal knowledge as well as that of the other agents involved in this investigation. All observations that were not made personally by me were related to me by the persons who made the observations. Sources of information used routinely in this process include verifying zip codes through a public database maintained by the U.S. Postal Service (*USPS.com*) and checking associations between names and addresses in a law enforcement database (*CLEAR*). This affidavit contains only that information necessary to establish probable cause in support of an application for a search warrant authorizing search of the Subject Parcels. This affidavit is not intended to include each and every fact and matter observed by or made known to agents of the government.

Based upon my training and experience, I know that there are suspicious characteristics common to many packages that contain narcotics, controlled substances or narcotics proceeds (currency), and personal and financial documents related to such proceeds and narcotics. These

factors, detailed more fully below, are used as a pointer system to identify packages requiring further investigation.

A totality of factors or characteristics creates reasonable suspicion prior to presenting a parcel to a canine for examination. The Subject Parcels exhibited several of these factors and were also alerted to by a trained canine. While there are many characteristics that experienced Postal Inspectors look for, the most common factors or suspicious characteristics routinely observed in the course of screening packages are as follows:

1. Contrasts observed between Legitimate Business Parcels and Drug Parcels:

As alternatives to First-Class Mail, which does not always provide a customer with the ability to track the progress of a parcel through the system, the U.S. Postal Service offers Priority Mail Express and Priority Mail.

a. Priority Mail Express: Priority Mail Express is guaranteed to be delivered on a set date and time, usually overnight (the deadline is determined at the time of mailing). The customer receives a receipt with this guaranteed information and can opt for a signature requirement when the parcel is delivered. Customers can track the parcel online by its distinct Priority Mail Express tracking number. The weight of the package and the distance traveled are the two main factors in setting the price. Priority Mail Express costs more than Priority Mail.

b. Priority Mail: Priority Mail has a delivery service standard of two to four business days, but is not guaranteed. Priority Mail is a less expensive alternative to Priority Mail Express, but still provides the ability to track a parcel.

Businesses using Priority Mail Express typically have a business or corporate account visible on the mailing label, which covers the cost of the mailing, in contrast to the drug distributor who will pay at the counter with cash or a credit card. Business Priority Mail Express parcels typically weigh no more than eight ounces, and business Priority Mail parcels typically

weigh no more than two pounds. Drug packages typically exceed these weights; in my experience, it is fairly easy to separate out smaller parcels, which constitute a significant percentage of all Priority Mail Express and Priority Mail parcels, from other parcels. Address labels on business parcels are typically typed, and address labels on drug packages are typically handwritten. Typically, drug traffickers using Priority Mail Express will opt out of the signature requirement.

c. **First-Class Mail:** Some individuals mailing illicit narcotics through the U.S. Postal Service are now utilizing both First-Class package service with tracking, and First-Class mail without tracking, as a way to obscure their illicit activity and to circumvent law enforcement profiling efforts. First-Class packages containing illicit narcotics may weigh less than one pound, or even be mailed in flat envelopes, depending on the type of narcotic involved.

2. **Invalid Sender/Return Address:** When drugs are shipped through the mails, the senders generally do not want them back. To distance themselves from parcels containing drugs, the return addresses and the names of senders are often fictitious or false. A fictitious or false address can be anything from an incorrect zip code to a non-existent house number or street. The name of the sender is also typically invalid: I have seen packages sent by persons with names of celebrities, cartoon characters, or fictional persona, but more often a search of the *CLEAR* database reflects that there is no association between the name of the sender and the address provided.

3. **Invalid Recipient/Address:** It may appear counter-productive to put the wrong receiving address on a package, but often the named recipient is not associated with the address. This provides plausible deniability to anyone receiving the package as to their knowledge of its contents. Sometimes drug packages are addressed to vacant properties with the expectation that

the postal carrier will just leave it at the address. The intended recipient will then retrieve it from that location and hope to remain anonymous.

4. **Destination State:** If other criteria are present, I know from experience and training that a domestic package being addressed to a source state can indicate that a parcel contains proceeds from the sale of illegal narcotics.

5. **State of Origin:** If other criteria are present, I know from experience and training that domestic packages sent from California - similar to the Subject Parcels at issue in this application for a search warrant - can indicate that a parcel contains controlled substances.

6. **Electronic Postage:** The US Postal Service created electronic postage as a service for frequent mailers and businesses who prefer printing address labels and purchasing postage from their residence or business. In my training and experience, drug traffickers may sometimes create electronic postage accounts as a means of giving legitimate appearance to their drug mailings. In these cases, they typically create the accounts using fictitious account information and often provide pre-paid credit cards as a means of payment, which are difficult to track. Drug traffickers often use legitimate business return addresses in states other than California and Arizona and other known "source" states as a means to deter detection, as these other states are not usually considered "source" states for controlled substances. The postage labels are printed/typed unlike the typical drug related mailing label, which is routinely handwritten.

7. **Additional Factors:** Additional factors seen less frequently, but nevertheless noteworthy, include:

a. Smell: The odors of cocaine, marijuana, and methamphetamine are distinct, and, through experience, Postal Inspectors are familiar with these odors. On occasion, a parcel will emit an odor that is easily recognized without the assistance of a canine. Other smells

that suggest the contents are narcotics are from masking agents. Common masking agents used in an attempt to thwart law enforcement and canines typically include dryer sheets, coffee, mustard, and any other substance that releases a strong smell.

b. Packaging: Heavily taped parcels are another factor that will suggest a drug parcel. I have also observed excessive glue on package flaps.

It is my experience that when these factors are observed, a drug detection canine will likely “alert” next to the parcel, indicating the dog has detected the presence of narcotics. As a result, these factors become a reliable way to profile the parcels being shipped every day.

III. STATEMENT OF FACTS AND CIRCUMSTANCES

The following factors or suspicious characteristics are present in the Subject Parcels, which are identified numerically consistent with Attachment A, in the following table.

Subject Parcel 1	
Priority Express/Priority/Registered/1 st Class	Priority 12” x 3.5” x 14.125”
Weight of Parcel	3 lbs., 1 ozs.
From Name/Address Associated	No, name not associated with address
To Name/Address Associated	Yes, name associated with address
Source Area	Yes – California
Canine Alert	Yes – Jack ²
Other Suspicious Characteristics	Handwritten label, emitting narcotics odor
Subject Parcel 2	
Priority Express/Priority/Registered/1 st Class	Priority 12.5” x 9.5” x 2.5”
Weight of Parcel	1 lbs., 0 ozs.


² “Jack” was last certified in May of 2017 to alert on the odors of marijuana, hash, cocaine, heroin, methamphetamine, and ecstasy. Jack is trained on a monthly basis to ensure the canine’s accuracy. Virginia State Police Trooper John Yacek is Jack’s handler.

From Name/Address Associated	No, name not associated with address
To Name/Address Associated	Yes, name associated with address
Source Area	Yes – California
Canine Alert	Yes – Jack
Other Suspicious Characteristics	Return address listed as NV.

Standard protocols for canine detection were followed. Specifically, the Subject Parcels were placed in the work area among other boxes at the USPS Dulles Processing and Distribution Center, Dulles, Virginia. At that time, the law enforcement handler and their narcotic-detecting canine were brought in to search the area. The handler observed the canine and then informed Postal Inspectors that the dog alerted on the Subject Parcels, which were hidden among other boxes.

IV. CONCLUSION

I submit that, based upon the above indicators exhibited by the Subject Parcels, my training and experience and the alert of a trained canine on the packages, there is probable cause to believe that the above-described Subject Parcels contain narcotics or controlled substances and/or materials relating to the distribution of controlled substances through the United States Mail.


 Henry J. Struse
 United States Postal Inspector

Subscribed and sworn to before me
 on the 27th day of November 2018.



/s/

Ivan D. Davis
 United States Magistrate Judge

Alexandria, Virginia

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